

**IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
MCALLEN DIVISION**

**JUANA CRUZ, ET AL**  
*Plaintiffs*

v.

**DELGAR FOODS, INC D/B/A/  
DELIA'S TAMALES**  
*Defendants.*

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**Civil Action 7:25-CV-00015  
JURY DEMANDED**

**MOTION FOR SUBSTITUTED SERVICE OF PROCESS**

To the United States Southern District:

**JUANA CRUZ, ET AL** ("Plaintiff") moves for substituted service.

Plaintiff have attempted to serve **DELIA LUBIN** at address is 106 Nolana Loop, San Juan, Texas 78589 which is Lubins last known place of abode. Attached is Exhibit "1" is Rule 106 Affidavit executed by Ramiro Rodriguez, Private Process Server. This Affidavit shows the results of the attempted service.

Plaintiffs would show that it is impractical to secure personal service on Lubin and that due search diligent inquiry and effort have been made to secure personal service.

Petitioner, requests the Court to authorize Petitioner, to serve Respondent **DELIA LUBIN** by leaving a true copy of the citation and attached petition with anyone more than twenty one years of age at 106 Nolana Loop, Texas 78589 or attaching a true copy of the citation and attached petition to the door/entry way and/or at 106 Nolana Loop, San Juan, Texas 78589 and by mailing it regular mail to Lubin, or I any other manner which will be reasonably effective to give Lubin notice of suit.

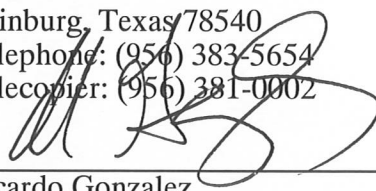
The attempt to leave the documents at Lubin usual place of abode by leaving a copy of the complaint attached at LUBIN usual place of abode by attaching a copy of the summons and complaint securely to the front door of abode, or by leaving it with someone 21 years of age or older, and by mailing regular mail to debtor, or in any other manner which will be reasonably effective to give Lubin notice of the suit, would comply with Rule 4 of the Federal Rules of Civil Procedures and is allowed under the Federal Rules which allow service on a defendant if the mean of service are consistent with the law of the state in which service is attempted. See Rule 4(e)(1) Fed. R. Civ. P.

Plaintiff request this motion for substituted service be granted and that the court direct service on Lubin by leaving a vopy of the summons with a copy of complaint attached to Lubin usual place of abode securely posted to the front door or by leaving it with someone 21 years of age or older, and by mailing it regular mail to debtor, or any other manner the court orders which will be reasonably effective to give Lubin notice of suit.

Respectfully submitted,

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BY:

  
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